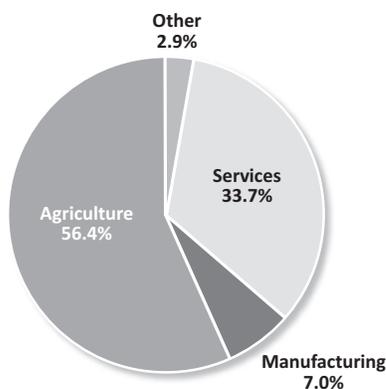


In 2012, Brazil made a significant advancement in efforts to eliminate the worst forms of child labor. To eradicate extreme poverty, the Government increased the budget for its flagship social protection program, Bolsa Familia, from \$8 billion in 2011 to 9.8 billion, and launched the Caring Brazil program to lift 16.2 million Bolsa Familia beneficiaries with children ages under 15 out of extreme poverty. The Government also conducted 7,325 child labor inspections (compared with 7,029 inspections in 2011) and rescued 7,123 children from child labor. As part of the implementation of the Second Plan to Combat Human Trafficking, the Government expanded from 10 to 16 the number of inter-agency coordination centers that refer victims of human trafficking to social services, and seven states developed anti-trafficking plans. However, local governments lack adequate resources to implement fully the national programs to combat child labor and human trafficking. Children continue to engage in the worst forms of child labor, including in hazardous activities in agriculture and street work.

#### Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	3.5 (1,116,499)
Attending School	5-14 yrs.	97.2
Combining Work and School	7-14 yrs.	4.0
Primary Completion Rate		Unavailable

#### Working Children by Sector, Ages 5-14



#### Sources:

**Primary completion rate:** UNESCO Institute for Statistics, 2013.(1)

**All other data:** Understanding Children's Work Project's analysis of statistics from PNAD Survey, 2011.(2)



#### Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Brazil are engaged in the worst forms of child labor, including in hazardous activities in agriculture and street work.(3, 4) Some children are engaged in the production of cashews, cotton, manioc, pineapple, rice, sisal, and tobacco.(5-20) Although the extent of the problem is unknown, there are reports that children are also found working in the production of apples, *babassu* (palm used to produce oil), beans, citrus, coffee, cocoa, mate tea, sugarcane, tomatoes, and strawberries.(5, 10-14, 20-33) These children work long hours, use dangerous tools, and are exposed to the elements, pesticides, and physical injuries.(21, 22, 34, 35) Children also work in cattle ranching and animal slaughter, including for beef production. Children who work in animal slaughterhouses are exposed to unsanitary conditions and use sharp knives.(7, 36, 37)

Some children produce charcoal, ceramics, and bricks. Although evidence is limited, there are reports that children are also found mining gemstones and breaking rocks into gravel. These children may carry heavy loads, risk physical injuries, and are exposed to the elements.(35, 38-42) Reportedly, children work long hours in mollusk harvesting; they collect mollusks before sunrise, and clean and peel mollusks during the day. These children may be exposed to physical injuries such as cuts and scrapes.(16)

A 2010 study found more than 23,000 street children, predominantly males, working in 75 cities in Brazil. They perform hazardous work in construction, automobile washing and repair, and garbage scavenging; they also work in the production of garments and footwear. Although information

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is limited, there are reports that they are also found working in the production of leather.(14, 35, 43, 44) The study found that these children work long hours and face a variety of safety and health risks, including exposure to the elements and toxic substances, and are at risk for physical injuries.(35, 43) According to the Ministry of Health children who work in the footwear sector in the State of São Paulo suffer more occupational injuries than do children working in other sectors.(45)

Reportedly, children are engaged in artistic and sporting activities such as modeling, choreography, and soccer, in violation of child labor laws. These activities may expose them to long hours, the elements, and injuries.(46-48) Some children who perform in artistic events may work up to 8 hours without breaks, while children under the age of 14 who have been recruited by professional teams may live apart from their families and not attend school.(46-48) In 2012, a 14-year-old boy died while in tryouts for a professional soccer team.(47)

Many children in Brazil work as domestic servants. According to a 2013 report, more than 258,000 children, ages 10 to 17, work in domestic service in third-party homes.(49, 50) Child domestic workers may be required to work long hours, performing strenuous tasks without sufficient food or shelter. These children may be isolated in private homes and are susceptible to physical and sexual abuse.(51, 52) Children and adolescents are also engaged in prostitution and sex tourism, including along highways, at truck stops and bus stations, and in brothels near mining settlements in the Amazon region.(53-56) Children are reportedly engaged in pornography. Children are trafficked internally and internationally for the purposes of commercial sexual exploitation and forced labor.(19, 57) In the cities of São Paulo and Rio de Janeiro, children are sometimes recruited into criminal gangs to work in the drug trade.(58, 59) In March 2013, seven Paraguayan adolescents ages 15 to 17 were found working under forced labor conditions in the production of manioc.(60)

A 2009 UNICEF study reported that rural areas in the Northeast face challenges in providing access to education. School infrastructure is precarious; some schools do not have running water, electricity, or toilets.(61) Transportation is not always available because of aging buses, long distances, and bad road conditions. Some children do not have birth certificates, which hinders their access to education.(61) A 2010 World Bank study found that only approximately 60.0 percent of youth enrolled in secondary education complete their schooling.(62)

## Laws and Regulations on the Worst Forms of Child Labor

The Constitution and the Labor Code set the minimum age for work at age 16, with an exemption for apprenticeships at age 14.(63, 64) Judges have the authority to grant work authorizations for adolescents under age 16 to perform work, as long as it is not harmful to their development and it is vital for their family's survival.(64, 65) Decree No. 6.481 of 2008 prohibits hazardous work for children under age 18; it lists 93 hazardous activities within 13 occupational categories from which children are barred.(66) These categories include agriculture, livestock raising, fishing, mining, car repair, manufacturing, construction, transport, domestic work, and health services. Hazardous activities include garbage scavenging, fertilizer production, and street work.(66)

## International Conventions and Selected Laws on Child Labor and Education

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	16
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	17
	Free Public Education	Yes

In 2011, the Brazilian News Agency reported that between 2005 and 2010, judges authorized more than 33,000 children under age 16 to work. Some of these authorizations were for children performing hazardous activities such as scavenging, construction, and fertilizer production.(67) To address this situation, the National Council of the Public Ministry made a recommendation requesting that judges who issued the authorizations submit copies to the Public Ministry for review, and ask that the judges reconsider the previously issued work authorizations. Judges who revoke the authorizations can request that the Federal Labor Prosecutor place the affected

children in apprenticeship programs.(68) In 2012, the Ministry of Labor and Employment (MTE) reported that work authorizations granted by judges for children under age 16 had decreased 58.0 percent between 2010 and 2011; in 2011, 3,134 work authorizations were issued, compared with 7,421 in 2010.(69) The Forum for the Eradication and Elimination of Child Labor has requested that the National Justice Council provide guidelines to judges on issuing work authorizations.(69, 70)

The Penal Code criminalizes commercial sexual exploitation, forced labor, and trafficking in persons for the purpose of sexual exploitation internationally and domestically. The Penal Code's definition of forced labor—a broader definition than that of the ILO Conventions—includes unacceptable or degrading working conditions as a form of forced labor.(71, 72) However, the Penal Code's definition of trafficking in persons does not cover trafficking for the purposes of labor.(71, 72) In June 2012, the Brazilian Senate established a committee led by legal experts to propose changes to the Penal Code to harmonize human trafficking legislation with international standards.(73) Resolution 93 of 2010 grants permanent visa status to foreign victims of human trafficking or labor exploitation, including commercial sexual exploitation, forced labor, and indentured labor.(74) However, in February and March 2013, the Government deported 37 Paraguayan workers, including seven adolescents, who were victims of forced labor.(60, 75, 76) In addition, in January 2013, the São Paulo State Government approved legislation to combat forced and exploitative labor in supply chains—it will revoke for 10 years the business license of any business that directly or indirectly employs workers under forced labor conditions.(77)

The Statute of the Child and Adolescent prohibits child pornography.(78) Decree No. 6.481 prohibits the use of children in the sale of illegal drugs and Law 11.343 of 2006 punishes individuals who involve, or attempt to involve, children in drug trafficking-related activities.(66, 79)

The minimum age for recruitment and enlistment in the armed forces is 18.(80) The Constitution establishes free and compulsory education until the age of 17.(63)

### **Institutional Mechanisms for Coordination and Enforcement**

The National Council for the Rights of Children and Adolescents is the national body that coordinates and monitors policies to protect children's rights.(81) The National Committee for the Elimination of Child Labor leads the implementation of the National Plan for the Prevention

and Elimination of Child Labor and the Protection of Working Adolescents. It is coordinated by the MTE and includes 17 government agencies along with representatives from trade unions, business associations, and civil society organizations.(82, 83) The Intersectoral Committee to Combat Sexual Violence against Children and Adolescents monitors the implementation of the National Plan to Combat Sexual Violence against Children, and is led by the Office of the President's Secretariat of Human Rights (SDH).(84) The National Commission to Combat Human Trafficking coordinates the implementation of the Second National Plan to Combat Human Trafficking, and is chaired by the Ministry of Justice.(27) In 2012, the State of Rio de Janeiro established a committee to combat trafficking in persons that includes 29 state government agencies. Rio de Janeiro is the seventh state, along with Bahia, Ceará, Goiás, Mato Grosso, Pernambuco, and São Paulo to create such a committee.(27, 85)

The MTE conducts labor inspections, enforces child labor laws, and monitors child labor. Its 3,061 labor inspectors work in all 26 states and are responsible for enforcing child labor laws.(86) In 2012, it inspected 269,025 worksites, carried out 7,392 child labor inspections, and removed 7,123 children from child labor, compared with 7,029 inspections and 10,362 children identified in 2011.(14) Of the 7,123 children found engaged in child labor during the reporting period, 5,541 were engaged in the worst forms of child labor.(14) In 2012, the MTE also imposed fines of more than \$678 million for all labor violations.(86, 87) The MTE regularly trains inspectors on child labor issues. All labor inspections are planned by regional offices, based on the MTE's goals, analyses of labor market data, and available human and financial resources.(14, 86, 88) In 2012, the Government of Brazil allocated \$290,754 to child labor inspections.(89)

To strengthen labor inspections and coordinate activities with other law enforcement agencies, the MTE requires that labor inspectors give immediate priority to cases of child labor. Inspectors have a maximum of 10 days to submit information about inspection results, which is available on the online monitoring system, Information System on Child Labor Hotspots.(90) Labor inspectors are required to report cases of child commercial sexual exploitation, domestic work, or other prohibited activities to local guardianship councils—five-member local entities that protect children's rights—which are required to work with the Federal Labor Prosecutor's Office (MPT) and the police to conduct investigations.(78, 90) In January 2012, the MTE established a specialized mobile unit to monitor labor conditions in construction sites. Between April and September, the unit conducted three simultaneous

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operations in all of the stadiums where the World Cup will take place.(91, 92)

The MPT prosecutes child labor violations. It works through the 24 prosecutors from its National Committee to Combat Child Labor, an in-house body that directs the MPT's efforts to combat child labor.(93) The MPT monitors the implementation of child labor policies and the required allocation of 5.0 percent of municipal budgets to initiatives to protect children's rights, and carries out awareness-raising campaigns.(93, 94) In 2012, the MPT raised awareness of child labor in the States of Ceará and Paraíba. The MPT also notified all soccer teams in Brazil that they would have 90 days to ensure that no children under age 14 play on their teams; those teams that have recruited children ages 14 through 17 would have to sign a special contract, pay the minimum wage, and ensure that the children attend school.(48, 95, 96)

To investigate and combat forced labor, including forced child labor, the MTE has a special mobile unit composed of labor inspectors, the Federal Police (FP), and federal labor prosecutors. In 2012, the units conducted 120 operations, inspected 226 worksites, and rescued 2,354 workers from forced labor conditions.(86, 97) It is unknown how many of these workers were children under the age of 18.

The MTE has established guidelines to expand labor inspectors' portfolios to include cases of forced labor, requires that labor inspectors work with the Ministry of Justice (MOJ) and other government agencies when they find foreigners who have been trafficked and work under forced labor conditions, and established that the MTE's Secretary of Labor Inspections will coordinate all forced labor inspections.(98) Under Brazil's laws on forced labor, there are currently 654 ongoing prosecutions and 56 recent convictions; in 2012, five individuals were sentenced to fines and prison terms between 5 years and 13.5 years in the States of Pernambuco and Pará for employing persons in degrading working conditions.(14) It is unclear how many of these convictions involved child forced labor.

To enforce laws against the trafficking and commercial sexual exploitation of children, the SDH coordinates a human rights violation hotline, Dial 100, which directs complaints to appropriate institutions for follow-up; its budget was \$732,000 in 2012. During the reporting period, Dial 100 received 120,344 complaints related to violations of children's rights, although it is unclear how many of these involved the worst forms of child labor.(89, 99, 100) Safernet Brazil, a partnership between the Government and an NGO, receives online complaints about human rights violations, including child

pornography and human trafficking; in 2012, it received more than 1,969 online complaints related to child pornography and 233 related to human trafficking.(101, 102) In 2012, Safernet Brazil launched an online helpline to provide counseling support and a one-stop site with complete information about cybercrimes in Brazil and other countries.(103)

During the reporting period, the MTE reported that 13 children were removed from commercial sexual exploitation.(14) Brazilian prosecutors pursued 33 human trafficking prosecutions and the Federal Public Ministry convicted 13 individuals with sentences ranging from 3 to 8 years.(27) No information is available about how many of these cases were related to child trafficking. The Government does not make a distinction between adult trafficking and child trafficking cases in its public reporting.

In 2012, the MOJ, in partnership with the Brazilian Secretariat on Public Security, FP, and IOM, developed an online training on human trafficking for police officers. In December 2012, it trained 40 police officers from the State of Pará.(73) However, according to a 2012 report released by the Brazilian Senate, local governments lack adequate resources to combat human trafficking and assist human trafficking victims.(27, 104)

## Government Policies on the Worst Forms of Child Labor

The National Plan for the Prevention and Eradication of Child Labor and Protection of Working Adolescents and the National Program to Eliminate Child Labor (PETI) guide government efforts to combat child labor.(105, 106) The National Plan to Combat Sexual Violence against Children and Adolescents lays out the strategy to combat sexual violence and commercial sexual exploitation. The Second Plan to Combat Forced Labor establishes the policy framework to address forced labor.(107, 108) In March 2013, the Government officially released the Second Plan to Combat Trafficking in Persons to guide its efforts to combat this practice.(27)

The Government has included child labor in the following policy instruments: the National Plan to Promote and Protect the Rights of Children and Adolescents for Family and Community Life, the National Human Rights Program, the National Decent Work Plan (2011-2015), the More Education Program, the Brazil without Misery Program, and the National Policy and Decennial Plan for the Human Rights of Children.(109-114)

During the reporting period, the Government of Brazil released the results of the 2011 National Household Survey

(PNAD), which identifies children who are engaged in child labor.(86, 115) The survey found 1.1 million children ages 5 to 14 working in Brazil, a reduction of 19.0 percent compared with the 2009 PNAD survey results, which found 1.38 million child laborers.(4, 115) However, the survey does not conduct in-depth research on hard-to-reach populations, such as children engaged in drug trafficking, domestic service, and commercial sexual exploitation, or on child victims of forced labor or on child labor in indigenous communities.

In 2012, the Brazilian Congress approved the 4-year Development Plan (PPA) (2012-2015), which seeks to achieve sustainable development that reaches all regions and promotes social equality through access to quality education, technological innovation, and environmental sustainability. The PPA aims to lift 16 million people out of extreme poverty, build 2 million houses for low-income families, and build 6,000 daycare centers and preschools.(116) To strengthen efforts to eradicate extreme poverty under the Brazil without Misery Program, the Government launched the Caring Brazil program, a cash transfer initiative, aimed at families in extreme poverty that benefit from the *Bolsa Familia* program, but whose monthly income per capita is less than \$137. Caring Brazil will target families with children ages 0 to 15 and will benefit 16.4 million people.(114, 117) After more than 2 years of discussions, the Brazilian Chamber of Deputies approved the National Educational Plan (2011-2020), which will require that 10.0 percent of Brazil's GDP be allocated to education. The Plan has 20 goals, including increased access to daycare, universal basic education, an end to illiteracy, and the conversion of 50.0 percent of public schools into full-time schools, extending to 7 or more the number of school hours per day.(118-120)

In 2012, the Government formally agreed to host the Third Global Conference on Child Labor that will take place in October 2013, and in November 2012, an interagency committee met for the first time to initiate activities.(121, 122) The Government determined that the main objectives of the conference will be: (1) to assess the advances made after the adoption of ILO Convention 182 in 2000, (2) to propose steps to speed up progress in combating the worst forms of child labor, and (3) to promote the exchange of good practices to address child labor.(121)

In 2012, the Government established a training program to support local governments in implementing the National Single System of Social Assistance, which coordinates anti-poverty efforts. The program will train more than 270,000 government officials in 2013.(123, 124)

## Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

The Government's key program to combat child labor is PETI, a conditional cash-transfer program aimed at families with working children who commit to keep their children in school and out of work. Program beneficiaries receive tailored social services based on their needs and degree of vulnerability.(106, 125) During the reporting period, PETI was implemented in more than 3,500 municipalities, and more than 820,000 children benefited from the Program. PETI tracks project beneficiaries through a national monitoring system.(106, 126)

To combat poverty, the Government of Brazil has established *Bolsa Familia*, a separate conditional cash-transfer program that supplements family income and targets rural and urban areas where child labor is prevalent. One of the conditions for family participation in the program is that children under age 18 must attend school regularly; more than 13 million families participate.(127-129) As part of the implementation of the Brazil Without Misery initiative, in 2012, the Government increased the budget allocation for *Bolsa Familia* to \$9.8 billion from \$8 billion in 2011, an increase of approximately 24.0 percent.(114, 130) A 2012 study found that *Bolsa Familia* has increased enrollment and grade promotion, and reduced dropout rates in grades five through eight among poor children who are vulnerable to leaving school and engaging in child labor.(131) An impact evaluation of *Bolsa Familia* carried out between 2009 and 2012 found that children whose families participated in the program exhibit school attendance rates 4.1 percentage points higher than children who were not part of *Bolsa Familia*.(132)

The Ministry of Social Development and Fight Against Hunger (MDS) coordinates the implementation of PETI and *Bolsa Familia*, and monitors family and child beneficiaries through the Single Registry Social Programs.(133) In 2012, the MDS and the Ministry of Education joined efforts to improve *Bolsa Familia* beneficiaries' access to education through the More Education program, which offers educational services such as afterschool activities, provides remedial activities to reduce dropouts and grade repetition, and prevents child labor.(113, 134) The goal of this partnership is to expand the More Education Program to at least half of the schools whose students are *Bolsa Familia* beneficiaries.(135, 136)

Although PETI and *Bolsa Familia* have reduced child labor in Brazil, challenges remain. Research has found that some vulnerable families continue to value children's work over their education.(105, 137) Some PETI and

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*Bolsa Familia* beneficiaries are not fully complying with program requirements, and reports claim that some children do not attend school, while others combine school and work.(138-140) According to a 2010 report, only 26.0 percent of street children benefit from *Bolsa Familia*.(44) Because of decentralization of PETI and *Bolsa Familia*, local communities are responsible for their implementation; however, they do not have the resources needed to implement and monitor the programs fully. In some cases, the operational costs of these programs exceed the funding provided by the Federal Government or local governments lack the institutional capacity to implement them.(141-144)

The Government of Brazil implements the National Plan for the Prevention and Eradication of Child Labor and Protection of Working Adolescents, the National Program to Combat Sexual Violence against Children and Adolescents, and the Second Plan to Combat Forced Labor. During the reporting period, the Government carried out public campaigns to combat the worst forms of child labor, the commercial sexual exploitation of children, and human trafficking and forced labor, and it assisted victims of such practices.(14, 27, 145) It also expanded from 10 to 16 the number of interagency coordination centers that refer victims of human trafficking to social services. The 2009 PNAD determined that more than 3,200 municipalities in Brazil carry out actions to combat child labor.(146) However, the Government does not have in place an effective monitoring system to track the implementation of child labor policies, which could be used to identify needed technical assistance for local communities and to share best practices.

The Government of Brazil participated in a 4-year, \$4.9 million project that supported the State of Bahia in its aim to become the first state free of child labor. This initiative was carried out in 18 municipalities and provided educational services to more than 14,000 children, including Afro-descendants.(147) In 2012, the project provided technical assistance to the Institute of Geography and Statistics to improve analysis of child labor data from the PNAD based on new age groups: 5 to 9; 10 to 13; 14 to 15; and 16 to 17 that will support the design of specific policies for children under 18.(148)

The Government of Brazil participates in a 4-year, \$6.75 million regional project that promotes South-South cooperation among Brazil, Ecuador, Bolivia, and Paraguay to combat child labor. The project aims to rescue 6,600 children from exploitative work and provide social services to 1,200 families.(149) In Brazil, it will benefit 1,050 children and 420 families.(149) As part of this initiative, the project partners with the Government of the State of Mato Grosso and with the private sector to provide apprenticeships to adolescents older than 14 years.(144, 150)

In 2012, the Government began to participate in a \$5.36 million project to combat forced labor, including forced child labor, in Brazil and Peru, and to share Brazil's good practices with the Government of Peru and Peruvian stakeholders.(151) Brazil also received funding and technical support from other international donors and organizations to combat child labor, forced labor, commercial sexual exploitation of children, and human trafficking.(73, 152)

During the reporting period, the Government of Brazil continued to partner with the Governments of Haiti and the United States, and with the ILO to combat child labor in Haiti.(153, 154) It also supported the implementation of the Decent Work Agenda, including the exchange of best practices to combat child labor in Africa and Latin America.(155, 156) Brazil continued to participate in the MERCOSUR's Southern Child Initiative and the Regional Action Group for the Americas. The Southern Child Initiative aims to defend the rights of children and adolescents in the region by raising awareness about the commercial sexual exploitation of children, by improving countries' legal frameworks, and by exchanging best practices.(157) During the reporting period, MERCOSUR member countries launched a coordinated communications campaign: MERCOSUR United Against Child Labor. The campaign focused on agriculture, domestic work, and sexual exploitation, specifically targeting communities along the border.(158, 159) MERCOSUR member countries also met in 2012 to exchange good practices and developments in the region related to preventing commercial sexual exploitation and trafficking.(160)

Brazil is a member of the Joint Regional Group for the Americas, which conducts child labor prevention and awareness-raising campaigns in tourism.(161, 162)

**Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Brazil:**

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Ensure that judges do not issue work permits for children under age 16 to engage in the worst forms of child labor by <ul style="list-style-type: none"> <li>Establishing guidelines for judges to issue work authorizations.</li> <li>Raising awareness of Decree No. 6.481 of 2008 and other child labor laws among judges.</li> </ul>	2011, 2012
	Ensure that law enforcement officials implement legislation that grants permanent visa status to foreign victims of human trafficking or labor exploitation.	2012
	Expand the Penal Code's definition of human trafficking to cover trafficking for labor exploitation as a criminal offense.	2011, 2012
Coordination and Enforcement	Make information publicly available on cases of child trafficking and forced labor, including the number of rescued children, investigations, prosecutions, and convictions.	2012
	Provide adequate resources to local governments to combat human trafficking and assist victims of such crime.	2012
Policies	Develop a monitoring system to track the implementation of child labor policies.	2009, 2010, 2011, 2012
	Carry out more in-depth research on the worst forms of child labor, particularly with regard to children engaged in drug trafficking, domestic service, and commercial sexual exploitation, as well as child victims of forced labor and child labor in indigenous communities.	2009, 2010, 2011, 2012
Social Programs	Support local governments to implement fully the PETI and <i>Bolsa Familia</i> programs with resources for effective monitoring, identifying technical assistance needed by communities, raising awareness, and establishing best practices to address child labor and poverty.	2009, 2010, 2011, 2012
	Ensure that family beneficiaries of PETI and <i>Bolsa Familia</i> comply with program requirements to keep children in schools and out of work.	2009, 2010, 2011, 2012
	Expand access of street children to <i>Bolsa Familia</i> .	2012

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